

## REMARKS

### **Status**

This Amendment is responsive to the Office Action dated November 9, 2006, in which Claims 1, 2, 4, and 6-13 were rejected. No claims have been canceled; Claims 1 and 4 have been amended; and no new claims have been added. Accordingly, Claims 1, 2, 4, and 6-13 are pending in the application, and are presented for reconsideration and allowance.

### **Claim Rejection - 35 USC 102**

Claims 1-2, 6-8, and 10-13 stand rejected under 35 USC 102(b) as being anticipated by US Patent No. 5,441,251 (*Ohta '251*). This rejection is respectfully traversed.

The Office Action indicates that *Ohta '251*'s element 142 is a "pivotal access member" (Office Action, page 2). This is incorrect. *Ohta '251*'s element 142 is "a light-shielding member 142 such as a light-shielding brush having a light-shielding function" (Col. 17, lines 57-61). See Figures 15 and 19. While bristles on a brush may bend, a "bend" cannot be equated to a "pivot", and more particularly, a "brush" cannot be equated to a "pivotal access member". Thus, Claim 1 is not anticipated by *Ohta '251* since *Ohta '251* does not teach a pivotal access member having the features as claimed in Claim 1.

In addition, *Ohta '251* does not teach a transport member as claimed in Claim 1. The Office Action's position is that *Ohta '251*'s element 138 is "a transport member" (Office Action, page 2). *Ohta '251*'s element 138 is a push member which pushes a rear portion of phosphor sheet 12 (Col 17, lines 44-56). See *Ohta '251*'s Figures 15 and 19. In contrast, the transport member of the present invention has a substantially planar surface along its length which contacts a planar surface of the medium along its length when the transport member is moving the medium into and out of the box member. That is, in the present invention, the planar length of the medium is contacted by the access member, whereas in contrast, *Ohta '251*'s rear edge portion is contacted

Further, in the present invention, the transport member contacts a planar surface of the medium along its length when the transport member is moving the medium into and out of the box member. In contrast, *Ohta '251*'s bias member 146 returns push member 138 to an initial position (Col 18, lines 16-20). Therefore, since *Ohta '251*'s push member 138 does not return the sheet to the box member, *Ohta '251*'s push member 138 does not contact sheet 12.

Accordingly, since *Ohta '251* does not teach a transport member as claimed in Claim 1, Claim 1 is not anticipated by *Ohta '251*.

Claims 2, 6-8, and 10-13 are dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claims 2, 6-8, and 10-13 are also believed to be patentable.

Applicant also note that the dependent claims are also patentable for additional reasons by virtue of the subject matter recited in each dependent claims. For example, the cited reference fails to disclose the recited features of dependent Claim 10, as *Ohta '251*'s element 134 is a notch (Col. 17, lines 44-56), not a guide which guides the movement of the medium, as claimed in Claim 10. Still further, the cited reference fails to disclose the recited features of dependent Claim 11, as *Ohta '251*'s resin (Col. 7, line 47) does not teach or disclose a guide comprised of a material which reduces electrostatic charging, as claimed in Claim 11. Contrary to the Office Action's position, the term "resin" does not equate to "reduction of electrostatic charging".

### **Claim Rejection - 35 USC 103**

Claim 4 stands rejected under 35 USC 103 as being unpatentable over *Ohta '251* in view of US Patent No. 4,434,501 (*Pfeiffer*). This rejection is respectfully traversed.

Claim 4 is dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claim 4 is also believed to be patentable.

Claim 4 is also patentable for additional reasons by virtue of the subject matter recited in the claim. For example, *Pfeiffer* does not disclose neoprene, as *Pfeiffer* mentions only "foamy plastic".

Further, the Office Action indicates that *Pfeiffer's* "foamy plastic" is used for "cushioning and protection".

In contrast, the present invention employs neoprene as a surface of the transport member to control the frictional interaction of the medium, as described in the Specification on Page 7, lines 12-17 and more particularly defined in amended Claim 4. More particularly, this material allows the medium to stick/adhere/contact to the transport member for insertion and extraction yet allows slippage when the medium is extracted/inserted from the cassette.

Thus, even if – for argument purposes only - *Pfeiffer's* "foamy plastic" were combined with *Ohta '251* as suggested in the Office Action, the present invention would not result since *Pfeiffer* does not teach the present invention's use of the neoprene for controlling frictional interaction.

Accordingly, Claim 4 is believed to be patentable.

#### **Claim Rejection - 35 USC 103**

Claim 9 stands rejected under 35 USC 103 as being unpatentable over *Ohta '251* in view of US Patent No. 6,504,166 (*Imai*). This rejection is respectfully traversed.

Claim 9 is dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claim 9 is also believed to be patentable.

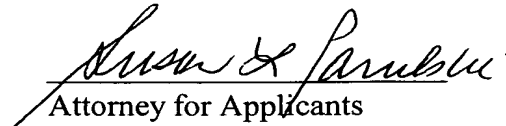
#### **Summary**

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

Respectfully submitted,

  
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